

Application No. 09/527,313
Amendment "E" dated August 25, 2004
Reply to Office Action mailed July 12, 2004

REMARKS

Initially, Applicants would like to thank the Examiner for the courtesies extended during the recent interview held on August 2, 2004. The claim amendments made by this paper are consistent with the proposals discussed during the interview.

The latest Office Action, mailed July 12, 2004, considered claims 45 and 47-70. Claims 45 and 47-55 were rejected as being unpatentable over Usui (U.S. Patent No. 6,075,570) in view of Durden (U.S. Patent No. 6,442,756) and in further view of Williams (U.S. Patent No. 6,157,411). Claims 56-70 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Usui in view of Durden¹.

By this paper, each of the independent claims 45, 56, 64 have been amended along with dependent claims 47, 60 and 67. New claims 71-74 have also been added², such that claims 45 and 47-74 now remain pending.

As discussed during the interview, the pending claims are neither anticipated by nor made obvious by the art of record. In fact, as reflected in the interview summary, the proposed claim amendments "provide new, useful, and non-obvious benefits over the relied upon art of record." One reasons for this, as discussed during the interview, is that neither Usui nor Durden disclose or suggest a method or system in which EPG data can be scaled both temporally and selectively, so as to allow EPG data to be stored in various customizable levels of richness.

It will be appreciated, as discussed during the interview, that although the claims have been amended to clarify scaling in this way, the claim amendments made by this paper actually broaden the scope of the claims inasmuch as the claims are no longer required to provide scaling in such a way that 'the stored EPG data corresponding to more impending broadcast times is richer than EPG data corresponding to less impending broadcast times,' as previously recited in the independent claims. This specific limitation is now only recited in dependent claim format (claims 72-74).

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for the new dependent claims is drawn from the previously presented independent claims and the Figures presented with the application, along with the corresponding disclosure in the specification, as described during the interview.

Application No. 09/527,313
Amendment "E" dated August 25, 2004
Reply to Office Action mailed July 12, 2004

For at least the foregoing reasons, Applicants respectfully submit that the pending claims 47-74 are now in condition for prompt allowance. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 26 day of August 2004.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
Attorneys for Applicant

Customer No. 022913

RDN:JCI:cm
W:\14531\57.1\CM0000004094V001.DOC